

112TH CONGRESS
1ST SESSION

H. R. _____

To amend the detainee provisions of the National Defense Authorization Act for Fiscal Year 2012 to specifically state that United States citizens may not be detained against their will without all the rights of due process afforded to citizens in a court ordained or established by or under Article III of the Constitution of the United States.

IN THE HOUSE OF REPRESENTATIVES

Mr. LANDRY introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the detainee provisions of the National Defense Authorization Act for Fiscal Year 2012 to specifically state that United States citizens may not be detained against their will without all the rights of due process afforded to citizens in a court ordained or established by or under Article III of the Constitution of the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. DUE PROCESS RIGHTS OF UNITED STATES CITI-**
2 **ZENS.**

3 (a) APPLICATION TO DETAINEE PROVISIONS.—Sub-
4 section (e) of section 1021 of the National Defense Au-
5 thorization Act for Fiscal Year 2012 is amended to read
6 as follows:

7 “(e) PROTECTIONS.—

8 “(1) UNITED STATES CITIZENS.—In applying
9 this section and section 1022, no United States cit-
10 izen may be detained against his or her will without
11 all the rights of due process afforded to the citizen
12 in a court ordained or established by or under Arti-
13 cle III of the Constitution of the United States.

14 “(2) LAWFUL RESIDENT ALIENS AND OTHER
15 PERSONS IN THE UNITED STATES.—Nothing in this
16 section shall be construed to affect existing law or
17 authorities relating to the detention of lawful resi-
18 dent aliens of the United States or any other per-
19 sons who are captured or arrested in the United
20 States.”.

21 (b) EFFECTIVE DATE.—The amendment made by
22 subsection (a) shall take effect as of the date of the enact-
23 ment of the National Defense Authorization Act for Fiscal
24 Year 2012.